

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE SUBSTITUTE PLEADING**

Now

Comes the defendant in the above-named case and respectfully moves this Honorable Court to extend the time in which he may file a substitute Rule 33 motion. In support thereof the defendant says:

1. That his initial Rule 33 motion was timely filed pro se.
2. That this Court subsequently ordered that said motion be struck because it did not comply with the local rules. Thereafter, this Court ordered that the motion would be accepted if refilled by May 12, 2006.
3. The defendant's family has now retained new counsel and new counsel has filed his appearance this date.
4. New counsel will order the trial transcript forthwith, but until new counsel has read said transcript he is not in a position to re-file and sign said motion for new trial.
5. An extension is requested so that new counsel can determine what if anything should be raised in a Rule 33 motion.

Respectfully submitted,
By his attorney,

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